

City of San Jose

Community Facilities Development Fact Sheet

PARK TURNKEY PROJECT/AGREEMENT PROCESS

<http://www.sanjoseca.gov/prns/CFD/Pdopio/Pdopio.asp>

In order to fulfill the requirements of the Parkland Dedication Ordinance (PDO) or the Parkland Impact Ordinance (PIO), a developer must provide the equivalent of 3.0 acres of parkland per 1,000 residents generated from the development. This is either accomplished by land dedication, turnkey park construction, private recreation credits, payment of fees, or a combination of these items. If a project is 50 residential units or less, then the payment of fees is the only requirement.

The purpose of this fact sheet is to describe the key milestones and standard duration for the development of a turnkey park project. It is critical that the timelines on this sheet are adhered to as the turnkey agreement must be approved by the City Council prior to the issuance of a building permit for the project. As can be seen below, from the time the project development zoning is approved to the time the turnkey agreement is approved by City Council is typically a **7 month** period and is highly dependent upon deadlines being met by the developer and City staff.

1. Project Development Zoning (duration - varies):

- a. This is the stage of the project at which the Turnkey Park site location, size and configuration established. The developer shall work with the parks planning manager and their planning department representative to facilitate this process.

2. Turnkey Park Concept Design Development (duration – 3 months):

- a. Developer shall hire a landscape architect to design the park;
- b. Developer and developer's design consultant shall initiate a meeting with Parks, Recreation and Neighborhood Services (PRNS) staff to discuss the potential park layout and concept prior to substantial work being performed on the park design;
- c. Developer to set an initial community meeting to obtain the community's input on potential park concepts amenities. The park naming nomination forms should be distributed at this initial meeting. The community meeting must be scheduled with at least 2 weeks advanced notice;
- d. Developer shall provide initial park concept and cost estimate to PRNS following the community meeting;
- e. Developer to set up a second community meeting to obtain final comments from the community on the park concept;
- f. Developer and PRNS staff to agree upon final park layout and cost estimate.

3. Parks and Recreation Commission (PRC) Approval (duration – 1 month)

- a. PRNS staff to agendaize park concept for initial review and input for the PRC (must occur on third Wednesday of the month). Developer to attend meeting and present project;
- b. PRNS staff to agendaize park concept for final PRC approval (must occur on first Wednesday of the month). Developer to attend meeting and present project.

4. Turnkey Park Agreement Approval (3 months)

- a. Developer reviews and agrees upon standard turnkey park development language (concurrent with above items);
- b. Developer and PRNS staff agree upon final park concept and cost estimate based upon input from PRC;

- c. PRNS staff develops final turnkey agreement and provides to developer;
- d. Developer provides the following to PRNS;
 - i. signed turnkey agreement;
 - ii. irrevocable offer of land dedication and plat/legal description of the future park site;
 - iii. Corporate signature authority
- e. City staff processes the agreement internally and schedules the item for City Council approval.

5. Turnkey Park Construction

- a. PRNS collects Design Review & Inspection fee concurrent with submittal of 1st set of project specifications;
- b. Developer submits 50% plans/specifications to PRNS for review;
- c. Developer submits 95% plans/specifications to PRNS for review;
- d. PRNS obtains construction bonds from developer (performance/workmanship/materials) concurrent with final plan/specification & City approvals/signatures;
- e. Developer to schedule pre-construction meeting after plans signed-off;
- f. Developer to set meeting with PW/Equality Assurance to discuss project prevailing wage requirements.
- g. Construction of the park project is monitored by the Department of Public Works (DPW) for compliance with construction documents;
- h. DPW issues a Notice of Acceptance after improvements completed.

6. Grant Deed Processing/Site Acceptance

- a. Developer to provide updated Phase I (hazmat) report (if initial project hazmat reports older than 12 months) or Phase II clean-up letter from soils engineer, grant deed, plat map/description, corporate signature authority documents, environmental clearance documents, most current preliminary title report;
- b. PRNS to coordinate with City Real Estate (RE) for final park site deed acceptance; follow-up with RE & City Clerk's Office through deed acceptance/recordation;
- c. PRNS to Release performance/defective materials/workmanship bonds once project has received Notice of Completion.